

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff-Respondent,

Cr. No. 97-076-DRD

vs.

MIGUEL A. VEGA-COSME,
MIGUEL VEGA-COLON,
Defendants-Petitioners.

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2005 FEB 14 AM 7:43
U.S. DISTRICT COURT
SAN JUAN, P.R.

MOTION TO PROCEED IN FORMA PAUPERIS

TO THE HONORABLE COURT:

Defendants-Petitioners, Miguel A. Vega-Cosme, and Miguel Vega-Colon, pro-se, hereby moves for leave to proceed in forma pauperis for the purpose of appointment of counsel Marcia G. Shein to prepare and file a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 in their behalf. In support thereof, they state:

1. The defendants do not have any cash on hand or money in savings or checking accounts.
2. The defendants do not own any real estate, stocks, bonds, notes, automobiles, and have been under custody since their arrest on April 11, 1997.
3. The defendants were deemed indigents for the proceeding in this Court and the First Circuit Court and counsel was appointed.

4. The defendants are without the financial ability to retain counsel Shein for themselves.

5. In further support thereof, they rely on the attached Institutional account statement for the last six months file with this motion.

WHEREFORE, the defendants-petitioners move that they be granted leave to proceed in forma pauperis for the purpose of appointment of counsel Marcia G. Shein.

Respectfully Submitted

2/8/05
Dated:

Miguel A. Vega-Cosme
C/O : Miguel A. Vega-Cosme, pro-se
Reg. No. 03648-069
FCC-USP
P.O. Box 1033
Coleman, FL 33521-1033


Miguel Vega Colon
Miguel Vega-Colon
Reg. No. 14687-069
FCC-Low
P.O. Box 1031
Coleman, FL 33521-1031

Inmate Inquiry

Inmate Reg #: 03648069 Current Institution: Coleman FCC
Inmate Name: VEGA-COSME, MIGUEL Housing Unit: 1 A&O
Report Date: 02/04/2005 Living Quarters: 102-201L
Report Time: 3:42:46 PM

General Information | Account Balances | Commissary History | Commissary Restrictions | Comments

General Information

Administrative Hold Indicator: No
No Power of Attorney: No
Never Waive NSF Fee: No
Max Allowed Deduction %: 100
PIN: 6447
FRP Participation Status: Completed
Arrived From:
Transferred To:
Account Creation Date: 8/8/2001
Local Account Activation Date: 7/1/1991
Sort Codes: 
Last Account Update: 2/4/2005 8:09:35 AM
Account Status: Active
ITS Balance: \$0.07

FRP Plan Information

FRP Plan Type	Expected Amount	Expected Rate
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Account Balances

Account Balance:	\$38.58
Pre-Release Balance:	\$0.00
Debt Encumbrance:	\$0.00
SPO Encumbrance:	\$0.00
Other Encumbrances:	\$0.00
Outstanding Negotiable Instruments:	\$0.00
Administrative Hold Balance:	\$0.00
Available Balance:	\$38.58
National 6 Months Deposits:	\$913.26
National 6 Months Withdrawals:	\$875.40
National 6 Months Avg Daily Balance:	\$35.41
Local Max. Balance - Prev. 30 Days:	\$67.22
Average Balance - Prev. 30 Days:	\$34.42

Commissary History

Purchases

Validation Period Purchases: \$0.00
YTD Purchases: \$275.75
Last Sales Date: 1/20/2005 7:58:18 AM

SPO Information

SPO's this Month: 0
SPO \$ this Quarter: \$0.00

Spending Limit Info

Spending Limit Override: No
Weekly Revalidation: No
Spending Limit: \$290.00
Expended Spending Limit: \$0.00
Remaining Spending Limit: \$290.00

Commissary Restrictions

Spending Limit Restrictions

Restricted Spending Limit: \$0.00
Restricted Expended Amount: \$0.00
Restricted Remaining Spending Limit: \$0.00
Restriction Start Date: N/A
Restriction End Date: N/A

Item Restrictions

List Name	List Type	Start Date	End Date	Userid	Active
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Comments

Comments:

Inmate Statement



Inmate Reg #:	03648069	Current Institution:	Coleman FCC
Inmate Name:	VEGA-COSME, MIGUEL	Housing Unit:	I A&O
Report Date:	02/04/2005	Living Quarters:	I02-201L
Report Time:	3:42:59 PM		

Alpha Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
COA	2/4/2005 8:09:35 AM	JV0147			Payroll - IPP	\$27.76		\$38.58
COA	2/1/2005 5:12:22 PM	ITS0201			ITS Withdrawal	(\$10.00)		\$10.82
COA	1/24/2005 4:53:13 PM	ITS0124			ITS Withdrawal	(\$19.00)		\$20.82
COA	1/20/2005 7:58:18 AM	25			Sales	(\$7.40)		\$39.82
COA	1/7/2005 6:02:30 PM	ITS0107			ITS Withdrawal	(\$20.00)		\$47.22
COA	1/7/2005 6:37:25 AM	JV0109			Payroll - IPP	\$41.28		\$67.22
COA	1/4/2005 4:32:12 PM	ITS0104			ITS Withdrawal	(\$25.00)		\$25.94
COA	1/3/2005 5:21:48 AM	70123403			Lockbox - CD	\$50.00		\$50.94
COA	1/2/2005 4:55:31 PM	ITS0102			ITS Withdrawal	(\$1.00)		\$0.94
COA	12/31/2004 5:23:45 PM	ITS1231			ITS Withdrawal	(\$10.00)		\$1.94
COA	12/25/2004 1:42:59 PM	ITS1225			ITS Withdrawal	(\$20.00)		\$11.94
COA	12/23/2004 2:58:19 PM	58			Sales	(\$210.25)		\$31.94
COA	12/23/2004 5:20:15 AM	70122701			Lockbox - CD	\$30.00		\$242.19
COA	12/22/2004 11:17:01 AM	23			Sales	(\$13.00)		\$212.19
COA	12/18/2004 9:29:19 AM	ITS1218			ITS Withdrawal	(\$30.00)		\$225.19
COA	12/14/2004 5:51:10 AM	70122001			Lockbox - CD	\$50.00		\$255.19
COA	12/12/2004 5:10:23 AM	70121902			Lockbox - CD	\$200.00		\$205.19
COA	12/10/2004 5:07:23 PM	ITS1210			ITS Withdrawal	(\$5.00)		\$5.19
COA	12/6/2004 5:14:41 PM	ITS1206			ITS Withdrawal	(\$12.00)		\$10.19
COA	12/3/2004 5:05:54 PM	ITS1203			ITS Withdrawal	(\$20.00)		\$22.19
COA	12/3/2004 9:53:26 AM	JV0073			Payroll - IPP	\$41.28		\$42.19
COA	11/28/2004 5:44:46 PM	ITS1128			ITS Withdrawal	(\$10.00)		\$0.91
COA	11/24/2004 5:05:19 PM	ITS1124			ITS Withdrawal	(\$5.00)		\$10.91
COA	11/23/2004 5:17:56 PM	ITS1123			ITS Withdrawal	(\$5.00)		\$15.91
COA	11/18/2004 5:16:36 PM	ITS1118			ITS Withdrawal	(\$5.00)		\$20.91
COA	11/17/2004 5:28:32 PM	ITS1117			ITS Withdrawal	(\$10.00)		\$25.91
COA	11/15/2004 5:24:13 PM	ITS1115			ITS Withdrawal	(\$5.00)		\$35.91
COA	11/14/2004 1:44:01 PM	ITS1114			ITS Withdrawal	(\$5.00)		\$40.91
COA	11/13/2004 3:41:18 PM	ITS1113			ITS Withdrawal	(\$5.00)		\$45.91
COA	11/11/2004 5:45:13 PM	ITS1111			ITS Withdrawal	(\$10.00)		\$50.91
COA	11/5/2004 11:20:50 AM	JV0040			Payroll - IPP	\$35.90		\$60.91
COA	11/4/2004 6:03:05 PM	68			Sales	(\$7.40)		\$25.01
COA	10/29/2004 5:16:02 AM	70119004			Lockbox - CD	\$30.00		\$32.41

COA	10/28/2004	34	Sales	(\$37.70)	\$2.41
	5:31:35 PM				
COA	10/24/2004	ITS1024	ITS Withdrawal	(\$50.00)	\$40.11
	12:03:15 PM				
COA	10/23/2004	ITS1023	ITS Withdrawal	(\$10.00)	\$90.11
	9:38:02 AM				
COA	10/23/2004	70118604	Lockbox - CD	\$100.00	\$100.11
	5:14:18 AM				
COA	10/17/2004	ITS1017	ITS Withdrawal	(\$2.00)	\$0.11
	5:45:28 PM				
COA	10/15/2004	ITS1015	ITS Withdrawal	(\$1.00)	\$2.11
	5:17:31 PM				
COA	10/13/2004	ITS1013	ITS Withdrawal	(\$5.00)	\$3.11
	4:54:17 PM				
COA	10/10/2004	ITS1010	ITS Withdrawal	(\$10.00)	\$8.11
	4:43:00 PM				
COA	10/8/2004	ITS1008	ITS Withdrawal	(\$20.00)	\$18.11
	5:42:23 PM				
COA	10/8/2004	JV0012	Payroll - IPP	\$37.92	\$38.11
	9:14:18 AM				
COA	9/28/2004	ITS0928	ITS Withdrawal	(\$2.00)	\$0.19
	4:54:31 PM				
COA	9/16/2004	ITS0916	ITS Withdrawal	(\$20.00)	\$2.19
	5:13:33 PM				
COA	9/14/2004	ITS0914	ITS Withdrawal	(\$5.00)	\$22.19
	5:57:46 PM				
COA	9/12/2004	ITS0912	ITS Withdrawal	(\$3.00)	\$27.19
	10:38:45 AM				
COA	9/8/2004	ITS0908	ITS Withdrawal	(\$9.00)	\$30.19
	6:29:16 PM				
COA	9/3/2004	JV0394	Payroll - IPP	\$34.64	\$39.19
	8:49:52 AM				
COA	9/1/2004	98	Sales	(\$78.05)	\$4.55
	6:45:11 PM				

1 2 3

Total Transactions: 104

Totals: \$37.80 \$0.00

Current Balances

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrance</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Account Balance</u>
COA	\$38.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$38.58
Totals:	\$38.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$38.58

CERTIFICATE OF PRO-SE COUNSEL

Miguel A. Vega-Cosme and Miguel Vega-Colon, pro-se, hereby certifies that the statements of fact in the accompanying motions and affidavits are true and correct. 28 USC § 1746.

Respectfully Submitted.

2/8/05
Dated:

Miguel A. Vega Cosme
C/O : Miguel A. Vega-Cosme, pro-se
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Miguel Vega Colon
Miguel Vega-Colon, pro-se
Reg. No. 14687-069
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Coleman, FL 33521-1031

CERTIFICATE OF SERVICE

Miguel A. Vega-Cosme and Miguel Vega-Colon, pro-se, hereby certifies that a true and correct copy of these motions and affidavits has been mailed to:

a. U.S. Attorney's Office

District of P.R.

Torre Chardon, Suite 1201

350 Chardon Ave.

San Juan, PR 00918

b. Marcia G. Shein

Attorney at Law

2392 North Decatur Road

Decatur, GA 30033

Respectfully Submitted.

2/8/05
Dated: _____

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